



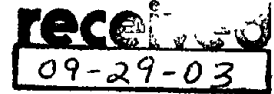
RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

September 22, 2003

Franco LaGreca
U.S. Department of the Navy
Naval Facilities Engineering Command
10 Industrial Highway
Code 1823-Mail Stop 82
Lester, PA 19113-2090



RE: Response to Comments on the Draft Work Plan Background Soil Investigation for NUSC Disposal Area, Naval Station Newport, Newport, Rhode Island

Dear Mr. LaGreca,

The Rhode Island Department of Environmental Management, Office of Waste Management, has reviewed the Navy's response to comments on the Draft Background Soil Investigation Work Plan for the NUSC Disposal Area, dated 29 August 2003. Attached are comments generated as a result of this review.

If the Navy has any questions concerning the above, please contact this Office at (401) 222-2797, ext. 7111.

Sincerely,

A handwritten signature in cursive script that reads "Paul Kulpa".

Paul Kulpa, Project Manager
Office of Waste Management

cc: Matthew DeStefano, DEM OWM
Richard Gottlieb, DEM OWM
Kymberlee Keckler, EPA Region I
Cornelia Mueller, NETC

1513

**8. Section 5.0, Data Analysis and Statistical Testing;
Page 5-1, Whole Section.**

This section of the work plan discusses the statistical test that will be used to evaluate the data. Although not stated it is assumed that this evaluation will include results for standard statistical test. These test include, but are not limited to, the mean (geometric/arithmetic), median, mode, variance, range, minimum, maximum standard deviation, interquartile range, percentiles, variation, sum, count confidence level skewness, and kurtosis. All of this information should be presented in table format as appropriate. In addition the sample results for a particular contaminant that the Navy is performing a background assessment on, will be depicted in tables in ascending order. The Office of Waste Management recommends placing the above statistical data below the ascending order values.

Evaluation of Navy's Response

It appears that the Navy will provide the requested listed information. Please confirm

**10 Section 5.0, Data Analysis and Statistical Testing;
Page 5-1, Whole Section.**

This section of the work plan lists the different test that will be performed to analyze the background data set. Prior to performing these this analysis test for outliers should be performed on the data sets. This step is necessary as it may affect which sample locations are used in the background analysis.

Evaluation of Navy's Response

The Navy has stated that an initial screening test of four times the 75 quantile will be used to identified outliers. Once identified, a number of statistical tests will be performed. This initial screening may eliminate potential outliers from evaluation. Therefore it should be eliminated from the report. In regards to the test to be performed, the applicability of a particular test will depend upon the data distribution and other factors. Therefore, while it is appropriate to propose different test, final approval concerning the applicability of a particular test cannot be given until the actual data is presented. At that time a determination can be made as to whether the proposed test was appropriate or whether another test that was not initially proposed should be used.

**13. Section 5.0, Data Analysis and Statistical Testing;
Page 5-1, Last Paragraph.**

This section of the work plan states that the 95 % UTL will be used to determine the background concentration. It is premature to state whether the 95 % UTL will be employed as the background concentration. The value employed will be based upon the

Therefore, the hydric soils at the site may not be significant enough to warrant a separate, intensive, background investigation, such as the one proposed in the work plan. Without site-specific information demonstrating the need to perform a separate background assessment, the Office of Waste Management does not concur with the proposed background study for hydric soils.

Evaluation of Navy's Response

The Navy has stated that it is their belief that there are enough hydric soils at the site to warrant this separate investigation. In support of this position the Navy should take the appropriate test on the site and up gradient soils to demonstrate that these soils are indeed hydric as opposed to non-hydric.

**5. Section 2.2.4, Definition of Study Boundaries;
Page 2-9.**

This section of the work plan includes a discussion of the site and the different areas where background samples may be collected. The work plan notes that the site and the proposed background areas were used for agricultural purposes, golf course, etc. The Navy notes that pesticides, herbicides and other agricultural chemicals were commonly and consistently used at these sites. Be advised that it is inappropriate to collect background samples from release areas. Therefore, all of the proposed background areas are inappropriate and the Office of Waste Management does not concur with the proposed locations and will not accept or review any reports based upon samples taken in these areas. The work plan should focus on non-release areas, that is, areas where pesticide, herbicides, etc were not used. The criteria of collecting samples in non-release areas were employed in the background studies performed at other sites on the base. Accordingly, the work plan should be modified and alternate sampling areas should be proposed.

Evaluation of Navy's Response

See response to comment # 1.

**6. Section 3.2, Soil Sampling;
Page 3-1, Whole Section.**

The proposed soil sampling locations are not acceptable. Please submit alternative sampling areas for review. Be advised that background samples should not be collected from release areas.

Evaluation of Navy's Response

See response to comment # 1.

**Comments on Navy's Response to
Comments on the Draft Work Plan
Background Soil Investigation
NUSC Disposal Area**

**1. Section 1.1 Specific Investigation Objectives;
Page 1-1, Whole Section.**

This section of the work plan includes a discussion of the Site Remediation Regulations requirements for a background investigation. The discussion implies that if there are elevated levels of contaminants at the site and at neighboring areas remediation is not required. Presence of contamination on the site and or the neighboring area does not negate the need to address the contamination. Therefore, please remove this discussion from the work plan, as these statements concerning the application of the regulations are incorrect.

Evaluation of Navy's Response to Comments # 1, 5 & 6

The Navy has proposed collecting background samples in areas such as, golf courses and farms where the work plan acknowledges that releases have probably occurred. The Navy believes that these areas are appropriate since the Navy itself would not have been responsible for any similar past practices that may have contaminated the soils at the NUSC Disposal area. Please be advised that property owners are responsible for contamination on their property even if the contamination occurred prior to them purchasing the property.

The Navy has also stated that it is not "possible" to locate any land in the area, which has not been contaminated by these practices. A number of background studies have been performed on Aquidneck Island, including two studies performed by the US Navy. In these studies it was possible to locate land, which had not been contaminated by past releases. Therefore please address the comments and propose alternate background sampling locations.

**4. Section 2.2.1, Soil Types;
Page 2-7, Paragraph 3.**

The work plan notes that the soil adjacent to the streambeds in the same soil classification will be hydric, as opposed to the non-hydric soils located further away from the streambeds. Accordingly, two background studies will be performed at the site, one for hydric and the other for non-hydric soils. These studies will entail the collection of twenty background soils samples for each soil type. The site does not lie in the flood plain of a large river. In fact the streams entering the site are small, and in some locations they can be jumped across. Further, disposal activities have resulted in nearly vertical slopes along sections of the stream, and overall the wetlands at the site itself are limited.

data. Accordingly, the work plan should note that 95 % UTL, the 80 %, the mean etc., may be used as a reference value for existing site data.

Evaluation of Navy's Response

The Navy acknowledges that the 95 % UTL may not be applicable. Further, it is noted that the UTL can generate an unacceptable high false positive. The Navy has proposed conducting additional tests in support of the 95 UTL. The final value used in the background study will be based upon the data. At that time a decision will be as to whether, the mean, 80 %, 95 % values or some other value will be used. Proposing tests in support of one possible value, in this case the 95 % UTL, in lieu of other possible values, such as the mean, will bias the approach and is not appropriate. Therefore, the work plan should clearly state that the 95 % UTL, 80% , mean etc may be used as a reference value at the site.